

BILL NO. G-66-12-¹⁶

GENERAL ORDINANCE NO. G-89-67

AN ORDINANCE amending the Zoning Ordinance as to permitted uses in Limited Business Districts and Shopping Centers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Item (14) under division BIB of Section 14E of General Ordinance No. 2836, commonly known as the Zoning Ordinance, and appearing as Section 14 E of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 (1959 Edition), as amended by Section 2 of General Ordinance No. G-68-66, is hereby amended to read as follows:

(14). Restaurant, including Tavern and Bar, but not including a drive-in restaurant. For the purpose of this item and Section 14 H (2) (d), "drive-in restaurant" is defined as follows:

(a) Any eating establishment with more than twenty-five (25) percent of the gross floor area devoted to kitchen and cold storage space, or

(b) Any eating establishment the plan for which evidences space provision or appurtenances necessary for food or drink consumption outside the restaurant building either on the premises or on public ways, or

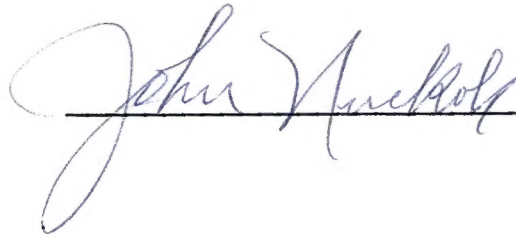
(c) Any eating establishment where more than ten (10%) per cent of the food and drink sold is actually carried out of the restaurant building, except food and drink packaged for home consumption.

SECTION 2. Section 14 F (1) of General Ordinance No. 2836, commonly known as the Zoning Ordinance and appearing as Section 14 F (1) of Chapter 36 of the Municipal code of the City

of Fort Wayne, Indiana, 1946 (1959 Edition), up to the colon, as amended by Section 3 of General Ordinance No. G-68-66, is hereby amended to read as follows:

(1) All "B-1" uses specifically listed in Section 14 E for "B-2" Centers; all of said uses except BlB uses (4) (5) (24) (25) and (26) for "B-2A" Centers; provided however, that no taverns, bars or agriculture shall be permitted in either a "B-2" or a "B-2A" Center; subject to compliance with the following requirements:

SECTION 3. This Ordinance shall be effective from and after its passage, approval by the Mayor, and publication as required by law.



APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 13, 1966, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-66-12-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,


WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 16, 1967;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Text of the Zoning Ordinance to be amended and the amendment will be in the best interest of and benefit to the City of Fort Wayne;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 23, 1967.

Certified and signed this
31st day of January 1967.



Mary Ann Haynie
Secretary

Bill No. G-66-12-16

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the Zoning Ordinance as to permitted uses in Limited Business Districts and
Shopping Centers

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance JS PASS.

JOHN NUCKOLS, Chairman

HERBERT G. TIPTON, Vice-Chairman

WILLIAM T. HINGA

JOHN H. ROBINSON

JACK K. DUNIFON.

Bill No. G-66-12-16

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Council that said Ordinance Do PASS.

PHIL A. STEIGERWALD Chairman

HERBERT G. TIPTON, Vice-Chairman

VERLIN H. BUCHANAN

JOHN H. ROBINSON

JACK K. DUNIFON

Phil Steigerwald
Herbert G. Tipton
Verlin H. Buchanan

Jack K. Dunifon

CONCURRED IN

DATE 5-18-67 VERLIN H. BUCHANAN CITY CLERK

Read the first time in full and on motion by Nuckols seconded by Buchanan and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) ~~(and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~ the day of 196 , at o'clock P.M., E.S.T.

Date: 12/13/66

Walter C. Meyer
CITY CLERK

Read the third time in full and on motion by Tipton seconded by and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED , ABSENT 1 to-wit:

Buchanan
Dunifon
Fay
Hinga
Nuckols
Robinson
Rousseau
Steigerwald
Tipton

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Date 2. 28. 67

Walter C. Meyer
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)(General)(Annexation)(Special)(Appropriation)~~ Ordinance (Resolution) No. 9.8767

on the 28th day of February, 196 7.

ATTEST: (SEAL)

Walter C. Meyer
CITY CLERK

Alan J. Karsen
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 196 7 at the hour of 8:00 o'clock A.M., E.S.T.

Walter C. Meyer
CITY CLERK

Approved and signed by me this 2nd day of March, 196 7, at the hour of 8:52 o'clock A.M., E.S.T.

Harold S. Zeis
MAYOR

Common Council, City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	-
Body number of lines	109
Tail number of lines	2
Total number of lines in notice	111

COMPUTATION OF CHARGES

111 lines, columns wide equals equivalent lines at .226¢ cents per line	\$ 25.09
Additional charge for notices containing rule and figure work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 25.09

DATA FOR COMPUTING COST

Width of single column 11½ ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. S. Scherer
Title ASSISTANT SECRETARY

Date March 23, 1967

Legal Notices

Notice is hereby given that on the 28th day of February, 1967, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

Bill No. G-66-12-16.
GENERAL ORDINANCE
NO. G-66-12-16
AN ORDINANCE amending the Zoning Ordinance as to permitted uses in Limited Business Districts and Shopping Centers.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Item (14) under division B-1-B of Section 14E of General Ordinance No. 2836, commonly known as the

1191

PROGRAMS

11:00—Lamp Unto	My Feet
10:30—Look Up	and Live
11:00—Camera	Three
7:00—Lassie	11:30—Showplace
7:30—About Time	Homes
8:00—Ed Sullivan	AFTERNOON
9:00—Smothers	12:30—Face the
10:00—Candid	Brothers
10:30—Camera	Nation
10:30—What's My	1:00—They Wanted
11:00—News	To Fly
11:35—Firing Line	2:00—Faith to

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARNOLD F. SCHERER who, being duly sworn, says that he is ASSISTANT SECRETARY of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANA
town }
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

March 11, 1967

March 18, 1967

Subscribed and sworn to before me this 23rd day of March 1967

Edith Stapleton
Notary Public

My commission expires March 8, 1970

Width of single column $11\frac{1}{2}$ emsSize of type $5\frac{1}{2}$ pointNumber of insertions 2Size of quad upon which type is cast $5\frac{1}{8}$

Pursuant to the provision and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date March 23, 1967Title ASSISTANT SECRETARY

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GENERAL ORDINANCE

NO. G-89-67

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SECTION 1. Item (14) under division B-1-B of Section 14 E of General Ordinance No. 2836, commonly known as the Zoning Ordinance, and appearing as Section 14 E of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 (1959 Edition), as amended by Section 2 of General Ordinance No. G-68-66, is hereby amended to read as follows:

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SECTION 2. Section 14 F (1) of General Ordinance No. 2836, commonly known as the Zoning Ordinance and appearing as Section 14 F (1) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 (1959 Edition), up to the colon, as amended by Section 3 of General Ordinance No. G-68-66, is hereby amended to read as follows:

(1) All "B-1" uses specifically listed in Section 14 E for "B-2" Centers; all of said uses except B-1-B uses (4), (5), (24), (25) and (26) for "B-2-A" Centers; provided however, that no taverns, bars, or agriculture shall be permitted in either a "B-2" or a "B-2-A" Center; subject to compliance with the following requirements:

SECTION 3. This Ordinance shall be effective from and after its passage, approval by the Mayor, and publication as required by law.

JOHN NUCKOLS, Councilman.

Read the third time in full and on motion by Nuckols seconded by Tipton and duly adopted, placed on its passage. Passed by the following vote:

Ayes: eight.

Buchanan, Dunifon, Fay, Hinga, Nuckols, Rousseau, Stelgerwald, Tipton.

Nays: none.

Absent: one, to-wit: Councilman Robinson.

Date: 2-28-67.

WALTER C. MEYERS, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-89-67 on the 28th day of February, 1967.

ATTEST:

WALTER C. MEYERS, City Clerk.
EDWIN J. ROUSSEAU, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1967 at the hour of 10:00 o'clock a.m., E.S.T.

WALTER C. MEYERS, City Clerk.
Approved and signed by me this 2nd day of March, 1967, at the hour of 8:52 o'clock a.m., E.S.T.

HAROLD S. ZEIS, Mayor.
I, Walter C. Meyers, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-89-67 passed by the Common Council on the 28th day of February, 1967, and that said Ordinance was duly signed, and approved by the Mayor on the 2nd day of March, 1967, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 8th day of March, 1967.

SEAL
3-17, 18. WALTER C. MEYERS, City Clerk.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARNOLD F. SCHERER who, being duly sworn, says that he is ASSISTANT SECRETARY of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

March 11, 1967

March 18, 1967

Subscribed and sworn to before me this 23rd day of March 1967

Edith Stapleton
Notary Public

My commission expires March 8, 1970

Common Council, City of Ft. Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Date March 23, 1967

Title SECRETARY-TREASURER

Notice is hereby given that on the 23rd day of February, 1967, the Common Council of the City of Fort Wayne, Indiana, in Regular Session, did pass the following resolution:

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned MARTHA L. BRANNING who, being duly sworn, says that She is SECRETARY-TREASURER of the NEWS-SENTINEL newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

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JOHN NUCKOLS, Councilman.

Read the third time in full and on motion by Nuckols seconded by Tipton and duly adopted, placed on its passage. Passed by the following vote:

Ayes: eight.

Buchanan, Dunifon, Fay, Hinga, Nuckols, Rousseau, Steigerwald, Tipton.

Nays: none.

Absent: one, to-wit: Councilman Robinson.

Date: 2-28-67.

WALTER C. MEYERS,
City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-89-67 on the 28th day of February, 1967.

ATTEST: SEAL

WALTER C. MEYERS, City Clerk.
EDWIN J. ROUSSEAU, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1967 at the hour of 10:00 o'clock a.m., E.S.T.

WALTER C. MEYERS, City Clerk.
Approved and signed by me this 2nd day of March, 1967, at the hour of 8:52 o'clock a.m., E.S.T.

HAROLD S. ZEIS, Mayor.
I, Walter C. Meyers, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-89-67 passed by the Common Council on the 28th day of February, 1967, and that said Ordinance was duly signed, and approved by the Mayor on the 2nd day of March, 1967, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 8th day of March, 1967.

SEAL
3-11, 18. WALTER C. MEYERS,
City Clerk.

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned MARTHA L. BRANNING who, being duly sworn, says that She is SECRETARY-TREASURER of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city { of FORT WAYNE, INDIANA town } in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

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My commission expires March 8, 1970